

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: **SUMMARY ORDER**
: **REQUESTING FURTHER**
: **BRIEFING ON PORT**
: **AUTHORITY'S MOTION FOR**
: **SUMMARY JUDGMENT**
: **DISMISSING CERTAIN**
: **COMPLAINTS FOR LACK OF**
: **SUBJECT MATTER**
: **JURISDICTION**
----- X

21 MC 100 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

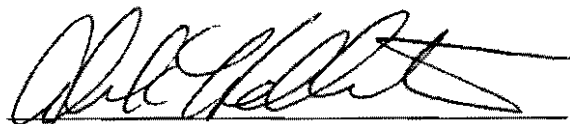
I have read the Port Authority's Memorandum of Law that seeks to dismiss the actions of 22 plaintiffs for not complying with the requirements of the Port Authority's Suability Statute. I ask that the brief be supplemented to respond to the following:

1. Regarding the group of plaintiffs in Section D.1. of the Memorandum, whether a notice of claim is required in light of the fact that every prior claim against the Port Authority by 9/11 plaintiffs had been contested, thereby indicating that the Port Authority was treating the issues as a whole, and not addressing individual claims on the merits. And, if so,
2. Whether that would apply also to the third category of plaintiffs discussed in Section D.3. of the Memorandum.

SO ORDERED

Dated:

October 18, 2011
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge